IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1144 of 2007()

CRIME NO.265/93 OF PERINTHALMANNA POLICE STATION

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: PETITIONER/PETITIONER:

RAMAKRISHNAN, S/O. KUNHAPPU,
RESIDING AT KORAMKUNNATH HOUSE, CHIRATTAMANNA,
MANATHAMANGALAM, PERINTHALMANNA TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS: COMPLAINANT AS STATE:

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1. THE SUB INSPECTOR OF POLICE,
PERINTHALMANNA POLICE STATION, MALAPPURAM DISTRICT

2. THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA
COCHIN-682 031.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1144 OF 2007

Dated this the 1st day of March, 2007

O R D E R

Petitioner, who is the accused in Crime No.265/1993 of Perinthalmanna Police Station for an offence punishable under section 324 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.298/1993 on the file of the JFCM-I, Perinthalmanna, the case against him was transferred to the Long Pending Register where it has been registered as L.P.C. No.26/1994. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the trial court and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance and after considering the contention of the petitioner that the matter between himself and the de facto complainant has since been settled.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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